



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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REGIONAL
ADMINISTRATOR'S
DIVISION

June 17, 2021

Dean Amundson, Coast Guard
U.S. Coast Guard
Shore Infrastructure Logistics Center
Environmental Management Division
1301 Clay Street, Suite 700N
Oakland, California 94621

Dear Mr. Amundson:

The U.S. Environmental Protection Agency has reviewed the U.S. Coast Guard's Notice of Intent to prepare a Programmatic Environmental Impact Statement (PEIS) for the Modernization of Coast Guard Base Seattle located on Puget Sound in Seattle, Washington (EPA R10 Project Number 21-0023-USCG). EPA provides these comments pursuant to Section 309 of the Clean Air Act and the National Environmental Policy Act.

According to the Notice, over the next 10 years the Coast Guard would have acquired land and made improvements to: resolve incompatible land uses, provide new infrastructure, increase berthing capacity, upgrade existing facilities and infrastructure, reduce congestion and parking shortfalls, provide a safer work environment, and enhance physical security capabilities. This proposed action is therefore needed to address substantial existing deficiencies in facilities and infrastructure at Base Seattle that hinder the efficient execution of Coast Guard missions, as well as provide facility enhancements necessary to support current and future major cutters homeported at Base Seattle.

EPA supports the purpose of the proposed project to modernize and renovate operational and mission support facilities and infrastructure. EPA also appreciates the Coast Guard's plan to analyze the project's potential impacts on environmental resources using the NEPA process. In addition to issues and resources that would be analyzed in the anticipated PEIS for the project, EPA offers the enclosed scoping comments the Agency believes are important to consider in the NEPA analysis for the project.

Thank you for the opportunity to provide scoping comments for this project proposal. EPA looks forward to participating in the proposed project's NEPA process. If you have questions about our comments, please contact David Magdangal of my staff at (206) 553-4044 or at magdangal.david@epa.gov, or me at (206) 553-1774 or at chu.rebecca@epa.gov.

Sincerely,

Rebecca Chu, Chief
Policy and Environmental Review Branch

U.S. Environmental Protection Agency Scoping Comments on Modernization of Coast Guard Base Seattle Seattle, Washington

Environmental effects

Because the project could impact natural resources in the analysis area, EPA recommends that any associated NEPA document include information on the potential impacts and any necessary mitigation measures to reduce or cancel those effects. This would involve the delineation and description of the affected environment or analysis area, indication of the impacted resources, the nature, extent, and variables of the impacts, and proposed mitigation measures to reduce those impacts. EPA recommends providing adequate information in the document on the following topics as it would be especially helpful for decision makers and the public.

a) Water quality

Section 303(d) of the Clean Water Act requires the States and Tribes with EPA-approved water quality standards (WQS) identify water bodies that do not meet WQS. Where WQS are not met, States and Tribes are required to develop water quality restoration plans to meet established water quality criteria and associated beneficial uses. EPA recommends that the PEIS for the project include the following information:

- Impacted waters of the U.S., the nature of the impacts, and specific pollutants likely to affect those waters;
- Water bodies potentially affected by the project that are listed on the State and most current EPA-approved 303(d) list;
- Existing restoration and enhancement efforts for those waters; how the proposed project would coordinate with those on-going efforts; and any mitigation measures implemented to avoid further degradation of impaired waters; and
- How the project would meet the antidegradation provisions of the CWA found in 40 CFR §§ 131.12(a)(1)-(3). The State of Washington's antidegradation policy can be found at <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-201A> under Part III-Antidegradation.

Because the CWA also requires any construction project resulting in the disturbance of one or more acres to have authorization under the construction storm water discharge permit for industrial activities, EPA recommends the following information for the PEIS:

- Direct, indirect, and cumulative impacts from storm water discharges;
- How the project would meet the requirements of the National Pollutant Discharge Elimination System permit program under the CWA, including development of Storm Water Pollution Prevention Plans, reporting, and monitoring;
- If Coast Guard determines that the project will disturb areas with contaminated sediments/soils, additional requirements are necessary from the Washington State Department of Ecology. For more information, please contact David Adler, Industrial Stormwater Inspector at (206) 949-1615 or dadl461@ecy.wa.gov and Noel Tamboer, Permit Administrator at (360) 407-6467 or ntam461@ecy.wa.gov;
- Best management practices, erosion and sediment control, and other mitigation measures to minimize impacts;

- Considerations for zero or low impact development techniques in project design due to their potential to reduce storm water volumes, and mimic natural conditions. For example, consider avoiding and minimizing creation of new impervious surface and excavation; and
- Application of green construction and management practices, consistent with the federal “green” requirements and opportunities that may apply to design, operation, and maintenance of project-related facilities and equipment.

b) Aquatic resources and impacts

Because there may be aquatic resources in the planning area, EPA recommends including the following information in the PEIS for the project:

- Description of all waters of the U.S., including project alternatives that could affect wetlands. EPA recommends also identifying any navigable waters in the analysis area;
- Acreages and channel lengths, habitat types, values, and functions of these waters;
- Whether the project would result in discharge of dredged or fill materials into surface waters of the United States. If so, CWA §404 authorization from the U.S. Army Corps of Engineers would be required for the project, and EPA recommends that the PEIS describe this permit application process and recommended measures to protect aquatic resources from impacts resulting from the proposed project;
- Mitigation plans, including compensatory mitigation required under the CWA, to reduce impacts to surface waters of the U.S.; and
- Floodplain impacts and actions to minimize the impacts. The CWA §404 regulates activities affecting waters of the U.S. within floodplains and Executive Order 11988, *Floodplain Management* addresses floodplains.¹

c) Solid waste, hazardous materials, and wastewater management

The proposed action may result in direct, indirect, and cumulative impacts due to use of hazardous and non-hazardous materials, EPA recommends that the PEIS address these impacts. Therefore, we recommend that the PEIS:

- Describe measures to minimize the chances of accidental spills or release of pollutants into the environment, and emergency response measures should an accidental release occur;
- Address the applicability of state and federal hazardous materials, pollution prevention, and solid waste requirements, and appropriate mitigation measures to prevent and minimize the generation of solid and hazardous materials; and
- Assess the need to prepare and implement a Spill Prevention, Control, and Countermeasure and provide information addressing this SPCC.²

Because of past and ongoing industrial uses of the project area, there is need for careful attention to potentially contaminated sites in the area and sites that are being or have been under environmental cleanup through the federal Superfund Program and/or Washington State’s Model Toxics Control Act, which includes managing sources of on-going contamination.

To the extent that the project may affect other cleanup programs at the State and Federal Level, coordination with the US EPA R10 Superfund and Environmental Management Division, the Washington State Department of Ecology, affected Federally Recognized Tribes, and other relevant

¹ <https://www.epa.gov/cwa-404/floodplain-management-executive-order-11988>

² https://www.epa.gov/sites/production/files/2014-04/documents/b_40cfr112.pdf

natural resource agencies will be essential. The EPA Region 10 Remedial Project Manager for the Harbor Island Superfund Site in the project area is Ravi Sanga who may be reached at (206) 553-4092 or Sanga.Ravi@epa.gov. EPA recommends that the PEIS discuss such coordination and recommended measures to protect human health and the environment.

d) Air quality impacts

Because the proposed action may result in impacts on air quality, EPA recommends that the PEIS for the project include:

- A detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS) and criteria pollutant non-attainment areas in the analysis area and vicinity, if applicable;
- Estimated emissions of criteria pollutants for the analysis area and discussion of the timeframe for release of these emissions from construction through the lifespan of the proposed project. For estimation of emissions, it would be helpful to specify all emission sources and quantify related emissions;
- Specific information about pollutants from mobile sources, stationary sources, and ground disturbance;
- A Construction Emissions Mitigation Plan that identifies actions to reduce diesel particulate, carbon monoxide, hydrocarbons, and oxides of nitrogen or NO_x;
- Potential effects from air pollutants, including air toxics, to:
 - workers, ground crews, nearby residents, businesses; workers, ground crews, nearby residents, businesses;
 - sensitive receptor locations, such as, schools, medical facilities, senior centers and residences, daycare centers, outdoor recreation areas (e.g., parks); and
- Mitigation measures to minimize the proposed project impacts to air quality.

e) Threatened and endangered species

The proposed project may impact endangered, threatened or candidate species listed under the Endangered Species Act, their habitats, as well as state sensitive species. EPA recommends that the PEIS for the project identify the endangered, threatened, and candidate species under ESA, and other sensitive species within the project corridor and surrounding areas. In addition, provide information in the PEIS on the critical habitat for the species; impacts the project could have on the species and their critical habitats; and how the proposed project will meet all requirements under ESA, including consultation with the U.S. Fish and Wildlife Service and National Oceanographic Atmospheric Administration - Fisheries. The document may need to include a biological assessment and a description of the outcome of consultation with the USFWS and/or NOAA Fisheries under Section 7 of the ESA.

f) Seismic and other risks

As one of the goals of the proposed project is to minimize the potential seismic risks to buildings, we recommend that the PEIS for the project:

- Discuss the potential for and approaches to evaluate, monitor and manage seismic risk in the area;
- Include an updated seismic map or a reference to one;
- Include information on seismic design and construction standards and practices to minimize seismic (e.g. liquefaction), landslide, and other risks; and
- Identify measures to avoid and mitigate the risks.

g) Indirect and cumulative effects

Please note that according to the Federal NEPA Contacts Meeting held on March 25, 2021, the 2020 CEQ regulations do not prevent or prohibit the analysis of indirect and/or cumulative effects. As such, EPA encourages analyzing the project's indirect and cumulative effects to best capture impacts to human health and the environment.

Cumulative impact analyses describe the threat to resources as a whole, presented from the perspective of the resource instead of from the individual project. Cumulative impacts can result from individually minor, but collectively significant, actions taking place over a period of time. Discussions of cumulative impacts are usually more effective when included in the larger discussions of environmental impacts from the action (the environmental consequences chapter), as opposed to discussing cumulative impact analyses in a separate chapter.

In the cumulative impacts' analysis, EPA provides the following recommendations:

- Identify how resources, ecosystems, and communities in the vicinity of the project have already been, or will be, affected by past, present, or future activities in the project area;
- Characterize these resources in terms of their response to change and capacity to withstand stresses;
- Use trends data to establish a baseline for the affected resources, to evaluate the significance of historical degradation, and to predict the environmental effects of the project components; and
- Focus on resources of concern or resources that are "at risk" and/or are significantly impacted by the proposed project before mitigation.

Climate Resilience and Greenhouse Gas Emissions Resilience

Considering potential climate change impacts helps ensure that investments made today continue to provide benefits, even as the climate changes. Specifically, EPA recommends that the Coast Guard consider in its decision-making: (1) the ongoing and long-term risks posed by climate change regarding where associated structures should be placed, and (2) if such infrastructure is placed in locations of elevated risk of damages due to climate change, investments should be made to increase the resilience of infrastructure to potential impacts now and in the future.

For example, we recommend that the Coast Guard incorporate climate resilient design considerations and develop climate adaptation plans informed by the U.S. Fourth National Climate Assessment. EPA recommends that the Coast Guard consider potential climate impacts to the proposed project including, but not limited to, rising sea levels, drought, high intensity precipitation events, and increased fire risk. Consideration of these issues could help avoid infrastructure investments in vulnerable locations, e.g., areas in flood zones likely to be in submerged in the future.

EPA recommends that the PEIS incorporate measures that ensure the resiliency of proposed project activities to existing and foreseeable climate change trends. EPA believes the Council on Environmental Quality's December 2014 revised draft guidance for Federal agencies' consideration of GHG emissions and climate change impacts in NEPA outlines a reasonable approach, and recommends agencies use the guidance when analyzing these issues. EPA also recommends the PEIS include an estimate of the GHG emissions associated with the project (i.e. mobilization, construction, operations, maintenance and decommissioning), qualitatively describe relevant climate change impacts, and analyze reasonable alternatives and/or practicable mitigation measures to reduce project related GHG emissions. There are more specifics on those elements below.

"Affected Environment" Section

Include in the "Affected Environment" section of the PEIS a summary discussion of existing and reasonably foreseeable environmental trends related to the changing climate relevant to the project. This information will assist with identification of potential project impacts that may be exacerbated by climate change and to inform consideration of measures to adapt to climate change impacts. (Among other things, this will assist in identifying resilience-related changes to the proposal.)

"Environmental Consequences" Section

- Estimate GHG emissions associated with the proposal and its alternatives. Example tools for estimating and quantifying GHG emissions can be found on CEQ's NEPA.gov website.³ For actions which are likely to have less than 25,000 metric tons of CO₂-e emissions/year, provide a qualitative estimate unless quantification is easily accomplished;
- Estimated GHG emissions can serve as a reasonable proxy for climate change impacts when comparing the proposal and alternatives. In disclosing the potential impacts of the proposal and reasonable alternatives, consideration should be given to whether and to what extent the impacts may be exacerbated by expected climate change in the action area, as discussed in the "affected environment" section;
- Recognizing that climate impacts are not attributable to any single action, but by a series of smaller decisions, EPA does not recommend comparing GHG emissions from a proposed action to global emissions. As noted by the CEQ revised draft guidance, "[t]his approach does not reveal anything beyond the nature of the climate change challenge itself: [t]he fact that diverse individual sources of emissions each make relatively small additions to global atmospheric GHG concentrations that collectively have huge impact." EPA also recommends that the Coast Guard does not compare GHG emissions to total U.S. emissions, as this approach does not provide meaningful information for a project level analysis. Consider providing a frame of reference, such as an applicable Federal, state, tribal or local goal for GHG emission reductions, and discuss whether the emissions levels are consistent with such goals; and
- Describe measures to reduce GHG emissions associated with the project, including reasonable alternatives or other practicable mitigation opportunities and disclose estimated GHG reductions associated with such measures. The PEIS' alternatives analysis should, as appropriate, consider practicable changes to the proposal to make it more resilient to anticipated climate change. EPA further recommends that the Record of Decision commits to implementation of reasonable mitigation measures using adaptive management practices that would reduce or eliminate project related GHG emissions.

Social cost of carbon

E.O. 14008 recognizes the climate crisis is profound, and directs the federal government to drive assessment, disclosure, and mitigation of climate pollution and climate-related risks. Social Cost of Greenhouse Gases (SC-GHG) estimates provide potentially useful information relevant to analyzing the impact of a project's GHG emissions.

Agencies are required to evaluate the full cost of GHG emissions by accounting for global damages to facilitate sound decision-making, which is the foundation of NEPA. These interim values are to be used by agencies when monetizing the value of changes in GHG resulting from federal actions.

³ https://ceq.doe.gov/guidance/ceq_guidance_nepa-ghg.html

EPA recommends that the PEIS consider if the project necessitates providing estimates of the monetized damages associated with incremental increases of GHG emissions. As applicable, EPA recommends including the SC-GHG consistent with the technical support document found in E.O. 13990.⁴ Some things to consider are:

- Estimate the Social Cost of Greenhouse Gases (SC-GHG) to conduct an analysis that incorporates the societal value of changes in carbon dioxide and other GHG emissions into benefit-cost analyses (BCA) of actions that have small, or marginal, impacts on cumulative global emissions;
- Discussion of a monetary comparison of the benefits received by society to the costs imposed on society is appropriate in evaluating a proposed project and potential alternatives. EPA recommends taking into account established practices for BCA (e.g., *See* Office of Management and Budget's (OMB) *Circular A-4* and references therein);⁵
- When a BCA is conducted, it is appropriate to use estimates of the SC-GHG that reflect the best available science and methodologies to incorporate the value to society of net changes in direct and indirect GHG emissions resulting from a proposed project (i.e., relative to a no action alternative);
- Discussion of, where it is possible, the development of a reasonable estimate of the net change in emissions due to the proposed project (e.g., that reflects how carbon-based energy production and demand from competing markets might change), then SC-GHG estimates will be useful for assessing the value to society of GHG changes in the BCA⁶; and
- When a full BCA is not complete, SC-GHG estimates may be used for project analysis when the lead agency determines that a monetary assessment of the impacts associated with the estimated net change in GHG emissions provides useful information in its environmental review or public interest determination. Specific recommendations regarding areas of federal decision-making where SC-GHG estimates should be applied are expected from the Interagency Working Group by September 2021, as specified in E.O. 13990.

Coordination with land use planning activities

EPA recommends that the PEIS discuss how the proposed project would support or conflict with the objectives of federal, state, tribal or local land use plans, policies and controls in the analysis area and vicinity. Additionally, EPA recommends that the document address existing constraints in the analysis area, e.g., utility rights-of-way, floodplains, and how proposed land uses are consistent and compatible with other land uses and identify any needed construction and operating permits and licenses.

⁴ Technical Support Document: Social Cost of Carbon, Methane, and Nitrous Oxide Interim Estimates under Executive Order 13990; https://www.whitehouse.gov/wp-content/uploads/2021/02/TechnicalSupportDocument_SocialCostofCarbonMethaneNitrousOxide.pdf

⁵ <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/circulars/A4/a-4.pdf>

⁶ A discussion of the SC-GHG estimates used in recent federal BCA can be found in EPA's supporting documents for the Revised Cross-State Air Pollution Rule (CSAPR) Update Rule. Specifically, the estimates used in the BCA of the Revised CSAPR rule are the interim SC-GHG estimates that EPA and other members of the IWG developed under E.O. 13990 for use in BCA until an improved estimate of the impacts of climate change can be developed based on the best available science and economics taking into consideration recommendations from the National Academies of Sciences, Engineering, and Medicine (National Academies, 2017).

Public involvement in project planning and implementation

Because EPA anticipates that the proposed project would be of interest to a variety of stakeholders in the area, EPA strongly recommends that the Coast Guard disclose in the PEIS the efforts undertaken to ensure effective public participation in the scoping process and throughout the NEPA analysis process. For more information on effective public participation in the NEPA process, please consult the following resources:

- *The Citizen's Guide to the National Environmental Policy Act*⁷;
- *Community Guide to Environmental Justice and NEPA Methods*⁸;
- *Community Impact Assessment*⁹; and
- *Model Guidelines for Public Participation*¹⁰.

Environmental Justice

If the analysis area includes low income or minority populations, the PEIS would need to address the potential for disproportionate adverse impacts to the populations. See Executive Orders 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*; 14008, *Tackling the Climate Crisis at Home and Abroad*; and 13985, *On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.¹¹ One tool available to locate minority and low income populations is the Environmental Justice Screening and Mapping Tool or EJSCREEN.¹² You may also consult the Federal Interagency Working Group on Environmental Justice and NEPA Committee report, *Promising Practices for EJ Methodologies in NEPA Reviews* for additional information, particularly on determining whether the proposed project may result in disproportionately high and adverse impacts.¹³ EPA recommends that other vulnerable and disadvantaged populations, such as, the elderly, the disabled, and children, be included in the analysis.¹⁴

Other GIS tools and resources could complement the analysis to identify potentially affected communities with environmental justice concerns. The Coast Guard could request specific assistance from other federal and state agencies that might have information collected via ground truthing. An example of an emerging tool at the national and state level include:

- Limited English Proficiency Data and Language Map;¹⁵ and
- Washington State's Environmental Health Disparities Map.¹⁶

⁷ https://ceq.doe.gov/get-involved/citizens_guide_to_nepa.html

⁸ <https://www.energy.gov/sites/prod/files/2019/05/f63/NEPA%20Community%20Guide%202019.pdf>

⁹ <https://www.fhwa.dot.gov/livability/cia/index.cfm>

¹⁰ <https://www.epa.gov/sites/production/files/2015-02/documents/recommendations-model-guide-pp-2013.pdf>

¹¹ <https://www.archives.gov/files/federal-register/executive-orders/pdf/12898.pdf>; <https://www.govinfo.gov/content/pkg/FR-2021-02-01/pdf/2021-02177.pdf>; <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>

¹² <https://www.epa.gov/ejscreen>

¹³ https://www.epa.gov/sites/production/files/2016-08/documents/nepa_promising_practices_document_2016.pdf

¹⁴ See Executive Order 13045, Protection of Children from Health Risks and Safety Risks, at <https://www.epa.gov/laws-regulations/summary-executive-order-13045-protection-children-environmental-health-risks-and>

¹⁵ <https://www.lep.gov/maps>

¹⁶

<https://www.doh.wa.gov/DataandStatisticalReports/WashingtonTrackingNetworkWTN/InformationbyLocation/WashingtonEnvironmentalHealthDisparitiesMap>

EPA recommends that the Coast Guard ensure that alternatives in the environmental analyses consider environmental justice concerns and allow communities with environmental justice concerns the opportunity to participate in the decision-making process.

EPA recommends the "Environmental Justice (EJ) Interagency Working Group (IWG) Promising Practices for EJ Methodologies in NEPA Reviews" report, or the Promising Practices Report, as a tool that can provide ways to both consider environmental justice concerns during environmental analyses and ensure effective participation by communities with environmental justice concerns.¹⁷ The Promising Practices Report is a compilation of methodologies gleaned from current agency practices concerning the interface of environmental justice considerations through NEPA processes. For example, the Promising Practices Report suggests initiating meaningful engagement with communities early and often; providing potentially affected communities with an agency-designated point of contact; and convening project-specific community advisory committees, as appropriate.

When designing community engagement opportunities, the Promising Practices Report suggests selecting meeting locations, times and facilities that are local and convenient for potentially affected communities with environmental justice concerns and considering any potential cultural, institutional, geographic, economic, historical, linguistic, or other barriers to achieving meaningful engagement with the community.

Similar requirements for project proponents would ensure broad conformity to high standards of meaningful public and tribal involvement. The information acquired from meaningful involvement can help augment information not readily available through environmental justice screening tools (e.g., information about subsistence use integral to indigenous communities for ensuring food access/security).

Thoughtful consultation will readily inform the Coast Guard of the importance of certain areas and impacts to consider in a project proponent's NEPA analyses. For example, EPA encourages the Coast Guard to be aware of potential exposure pathways through surface water contact during fishing and consumption of fish.

Furthermore, EPA recognizes that every community is different, and every project is unique. For these reasons, the Coast Guard could benefit from hiring personnel with expertise in public outreach and engagement that could develop a plan or checklist that the Coast Guard could use to screen projects at the earlier stages of the process and evaluate the level of engagement needed to meaningfully inform the decision-making process.

Coordination with tribal governments

EPA recommends the PEIS describe the process and outcome of government-to-government consultation between the Coast Guard and each of the tribal governments affected by the project, issues that were raised, if any, and how those issues were addressed. See Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*.¹⁸

The project area is a usual and accustomed fishing area for the Duwamish Tribe of Indians, the Suquamish Indian Tribe of the Port Madison Reservation, Washington, the Muckleshoot Indian Tribe,

¹⁷ <https://www.epa.gov/environmentaljustice/ej-iwg-promising-practices-ej-methodologies-nepa-reviews>

¹⁸ https://www.energy.gov/sites/prod/files/nepapub/nepa_documents/RedDont/Req-EO13175tribgovt.pdf

and the Confederated Tribes and Bands of the Yakima Nation.¹⁹ The federal government recognizes tribes as sovereign nations with fishing rights at all “usual and accustomed [fishing] grounds and stations.” The term “usual and accustomed” used in treaty language refers to those areas where tribes traditionally fished at before the federal government made treaties. These tribes have commercial fishing rights for salmon, shellfish, and non-salmon fish resources, as well as rights to harvest fish and shellfish for ceremonial and subsistence purposes. EPA therefore recommends evaluating impacts to Tribal Treaty resources by describing in the PEIS all tribe’s current ability, and likely ability under the action alternatives, to exercise their treaty-reserved fishing rights in their usual and accustomed grounds and stations.

National Historic Preservation Act

Section 106 of the National Historic Preservation Act requires consultation for tribal cultural resources. The NHPA includes historic properties that are in or meet the criteria for the National Register of Historic Places. Section 106 of the NHPA requires a federal agency, upon determining that activities under its control could affect historic properties, to consult with the appropriate State Historic Preservation Office/Tribal Historic Preservation Office. Under NEPA, the PEIS must disclose any impacts to tribal, cultural, or other treaty resources. Section 106 of the NHPA requires that federal agencies consider the effects of their actions on cultural resources, following the regulation at 36 CFR 800.

In the PEIS, discuss how the Coast Guard would avoid or minimize adverse effects on the physical integrity, accessibility, or use of cultural resources or archaeological sites, including traditional cultural properties (TCPs), throughout the project area. Discuss mitigation measures for archaeological sites and TCPs. EPA encourages the Coast Guard to append any Memoranda of Agreements to the PEIS, after redacting specific information about these sites that is sensitive and protected under Section 304 of the NHPA. EPA also recommends providing a summary of all coordination with Tribes and with the State and Tribal Historic Preservation Offices, including identification of NRHP eligible sites and development of a Cultural Resource Management Plan.

Permits and authorizations

As construction of the project would likely require a variety of authorizations, EPA recommends that the PEIS include a list of all permits/authorizations that the proposed project already has and will need including modification(s) to any existing permit or authorization, what activity and/or facility is regulated by the permit or authorization, entities that will issue each permit and authorization, when each will expire, and conditions to assure protection of human health and the environment. Such information, presented in a consolidated fashion, will assist agency decision-makers and the public in evaluating the proposed project’s impacts and mitigation required to address those impacts.

Monitoring and adaptive management

The proposed project has the potential to affect resources for an extended period. As a result, EPA recommends that the project design include an environmental inspection and mitigation monitoring program to ensure compliance with all mitigation measures and assess their effectiveness. EPA recommends that the PEIS describe the monitoring program and its use as an effective feedback mechanism to adjust during construction, operation, and maintenance. EPA recommends incorporating lessons learned from past practices in developing, building and managing similar projects, combined

¹⁹ In the mid-1850s, the United States entered into treaties with a number of American Indian tribes in Washington. These treaties guaranteed the signatory tribes the right to “take fish at usual and accustomed grounds and stations...in common with all citizens of the territory” [U.S. v. Washington, 384 F. Supp. 312 at 332 (WDWA 1974)].

with the need to account for new challenges, such as climate change, to help inform the design and management of the currently proposed project.